

27 May 1986

There is no desire to attack the nation's free and vigorous press.

Rather there is great respect for the media, for the people who work in it and for their watchdog functions in our society.

Over recent weeks our ability to protect life and limb against terrorism has been gravely weakened by leaks and publication of sensitive information. Concern in public opinion, in the American Intelligence Community and in the media about this is deep and widespread. Some would treat this concern as a threat to the nation's free press. That's not true. The diligence and ingenuity of the working press in gathering and publishing news and applaud its exposure of waste, inefficiency, corruption and other misconduct is to be encouraged and applauded.

Over recent years we have spent billions of dollars and trained thousands of splendid people to restore the finest intelligence service in the world. Yet every method we have of acquiring intelligence -- our agents, our relationships with other intelligence services, our photographic, electronic, and communications tracking capabilities -- has been damaged as disclosures of sensitive information enables our adversaries to defeat our growing capabilities. Certainly our nation cannot permit this to occur continue.

Fortunately, a great many journalists and others in the media recognize that the nation has a problem which must be dealt with responsibly. It is essential to differentiate between the very serious damage done to the nation's security through the publication of leaked sensitive intelligence and the need for the American public to possess as much information as possible to make informed judgments about the conduct of the government's business.

This is a challenge all of us must deal with together. An agenda for this would have these components:

1. Establish greater discipline in the handling and protection of sensitive information within the government. The most effective way of curtailing these damages is to increase discipline within the government. The inability to control sensitive information is destructive of the morale of people who do keep secrets, as well as damaging to our security. During the last several years, the President has emphasized the special obligation federal workers have to protect the classified information with which they are entrusted. We have increased our efforts to uncover those who violate this trust.
2. Improve cooperation between the media and the government in avoiding damage from disclosure of classified information. Mrs. Graham recently called for ". . . full cooperation wherever possible between the media and the authorities. When the media obtains especially sensitive information, we are willing to tell the authorities what we have learned and what we plan to report. And while reserving the right to make the final decision ourselves, we are anxious to listen to arguments about why information should not be aired. [The media] want to do nothing that would endanger human life or national security. We are willing to cooperate with the authorities in withholding information that could have those consequences." We have been gratified by the readiness of many reporters and editors to carefully consider sometimes withholding publication of information which could jeopardize national interests or to treat or present a story

in a manner which meets the public need, yet minimizes potential damages and to consult on how it might be minimized. We are always ready and available on short notice to help on that.

3. Deter the unauthorized disclosure of classified information by establishing and enforcing appropriate penalties. Congress, shortly after it established the National Security Agency to gather signals intelligence, in 1950 enacted a law which prohibits the publication of information about communications intelligence. There has been widespread violation of that law over recent weeks and months. Much damage has been done. During World War II, allied ability to read German and Japanese communications shortened the war and saved an incalculable number of lives. A single media story could have taken that advantage away from us overnight.

In 1950, Congress recognized this by enacting restrictions against publishing information about communications intelligence. The House Judiciary Committee carefully limited the application of this prohibition to information about communications intelligence which it termed: "a small degree of classified matter, a category which is both vital and vulnerable to almost a unique degree."

The growing will and ability of our friends and allies to counter terrorism and our own ability to protect our citizens depends very heavily on this particular intelligence capability. It would be very difficult indeed to justify failure to use a law enacted by the Congress for that specific purpose to deter further damage to a capability so critical at this point in history.

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